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Patent  
Attorney Docket No. 005950-845

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jeremy E. Dahl et al.

Application No.: 10/758,679

Filing Date: January 15, 2004

Title: LUMINESCENT HETERODIAMONDOIDS AS BIOLOGICAL LABELS

Group Art Unit: 1712

Examiner:

Confirmation No.: 4958

FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By Stephen F. Powell  
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Registration No. 43,014

Date: July 9, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
Dahl et al.	)	
	)	Group Art Unit: 1712
Application No.: 10/758,679	)	
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	)	Confirmation No.: 4958
For: LUMINESCENT	)	
HETERODIAMOINDOIDS AS		
BIOLOGICAL LABELS		

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date July 2, 2004

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Substitute for forms 1449A/PTO &amp; 1449B/PTO

THIRD INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTATTORNEY'S DKT NO.  
005950-845APPLICATION NO.  
10/758,679APPLICANT  
Dahl, et al.FILING DATE  
January 15, 2004GROUP  
1712

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	6,576,155	B1	Barbera-Guillem	06-10-2003
	6,548,171	B1	Barbera-Guillem et al.	04-15-2003
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	4,880,613		Satoh et al.	11-14-1989

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
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## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Beveratos, A, et al., "Single Photo Quantum Cryptography", <i>arXiv/quant-ph/0206136</i> 1 (2002).
	Jones, R., et al., "Theory of Aggregation of Nitrogen in Diamond", <i>Properties, Growth and Applications of Diamond</i> edited by Nazare et al., Ch. A5.1, pp127-129 (2001)
	Kiflawi, I, et al., "Aggregates of Nitrogen in Diamond", <i>Properties, Growth and Applications of Diamond</i> edited by Nazare et al., Ch. A5.2, pp 130-133 (2001)
	Kiflawi, I., et al., "The Nitrogen Interstitial in Diamond", <i>Properties, Growth and Applications of Diamond</i> edited by Nazare et al., Ch. A5.3, pp 134-135 (2001)
	Kuhn, S., et al., "Diamond Colour Centres as a Nanoscopic Light Source for Scanning Near-Field Optical Microscopy", <i>Journal of Microscopy</i> 202(1):2-6 (2001)
	Lawson, S.C., et al., "The Effect of Transition Metals (TM) on the Aggregation Kinetics of Nitrogen in Diamond" <i>Properties, Growth and Applications of Diamond</i> edited by Nazare et al., Ch. A6.2, pp 172-173 (2001)
	Raty, J.Y., et al., "Quantum Confinement and Fullerene-like Surface Reconstructions in Nanodiamonds", <i>Physical Review Letters</i> 90(3):037401.1-037401.4 (2003)
	Zarda, P., "Single Photo Source ", <a href="http://scotty.quantum.physik.uni-muenchen.de/exp/sps/sum.html">http://scotty.quantum.physik.uni-muenchen.de/exp/sps/sum.html</a> , on-line documents, 11 pages (2001)
Examiner Signature	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.